

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 19
SUBREGION 36**

**SAMARITAN PACIFIC
HEALTH SERVICES,**

and

**SERVICE EMPLOYEES
INTERNATIONAL UNION
LOCAL 49.**

Case No. 19-RC-272292

**RESPONDENT’S MOTION TO RESCHEDULE HEARING DATE AND TO EXTEND
THE TIME TO FILE STATEMENT OF POSITION**

Respondent, Samaritan Pacific Health Services (“Samaritan”), by counsel, brings this motion to the National Labor Relations Board, Region 19, Subregion 36, in Portland, OR, for a continuance of the hearing date set in this matter, and an extension of the time to file the Statement of Position, and in support thereof, states:

1. This motion is properly before the Regional Director pursuant to NLRB Rules & Regulations, § 102.65.
2. On February 5, 2021, the Regional Director for Region 19 (“the Regional Director”) issued a Notice of Petition and Hearing in case number 19-RC-272292 to the Respondent.
3. The hearing in this matter is set for February 26, 2021, at 9:00 AM PST.
4. The Respondent’s Statement of Position is due February 18, 2021.

5. Respondent's counsel, Daniel Adlong is involved in coordinated bargaining on February 26, 2021, for three units at three separate skilled nursing facilities. The parties hope to conclude the agreements on February 26, 2021. Further, Respondent's previous counsel, Jacqueline Damm, is no longer involved in the case and, regardless, is also involved in bargaining on February 26, 2021.

6. Respondent discussed with the union continuing the hearing for one day, until March 1, 2021, and the union stipulated that it would not oppose the motion.

7. Therefore, Samaritan requests that the hearing be rescheduled for March 1, 2021, or at a time that the Regional Director feels would be appropriate.

8. The Respondent also requests a one-day extension for the respective Statements of Position. Respondent's counsel has encountered delays related to power outages, down internet service, COVID protocols, understaffing, and other commitments, and, therefore, requests a brief, one-day extension to the time to file the Statement of Position, from February 18, 2021, to February 19, 2021. The additional day will enable Respondent's counsel to ensure that its Statement of Position is correct, appropriate, and thorough, and the Respondent asserts that the one-day extension will not prejudice or burden the union or Region. The union stated it preferred no extension to continuing the date for the position statements.

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WHEREFORE, Respondent requests that the February 26, 2021 hearing date be continued to a date on or after March 1, 2021 that is agreeable to all parties, and that the time to file the Statement of Position be extended by one day, from February 18, 2021, to February 19, 2021, and a similar one day extension for the union.

Dated: February 16, 2021

Respectfully submitted:

SAMARITAN PACIFIC HEALTH SERVICES

By: /u/ Daniel A. Adlong
Daniel A. Adlong

CERTIFICATE OF SERVICE

I am over the age of 18 and not a party to this action. On this date, I served a true copy of the attached: **MOTION TO RESCHEDULE HEARING DATE AND TO EXTEND THE TIME TO FILE STATEMENT OF POSITION** on the party listed below via email:

Allison Sayres
Union Organizer
SEIU Local 49
3536 SE 26th Ave
Portland, OR 97202
allis@seiu49.org

Also copy was electronically filed and sent via email on February 16, 2021, upon:

Robert Hooks, Regional Director
National Labor Relations Board, Region 19
915 2nd Ave
Rm. 2948
Seattle, WA 98174-1078
robert.hooks@nlrb.gov

Jessica Dietz
NLRB, Region 19, Subregion 36
1220 SW 3rd Ave
Portland, OR 97204-2818
jessica.dietz@nlrb.gov

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: February 16, 2021

By: /u/ Daniel A. Adlong
Daniel A. Adlong